



PATENTS

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7/18/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**Kakefuda et al.**

Serial No. **09/893,033**

Filed: **June 27, 2001**

For: **Cyanobacterial Nucleic Acid  
Fragments Encoding Proteins  
Useful for Controlling Plant  
Traits Via Nuclear or Plastome  
Transformation**

Art Unit:

Examiner:

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SUBSTITUTE POWER OF ATTORNEY

Commissioner for Patents  
Washington, DC 20231

Sir:

The undersigned assignee of record of the entire interest hereby **REVOKES** any  
and all powers of attorney previously given in the above-identified application; and

The undersigned hereby **APPOINTS**:

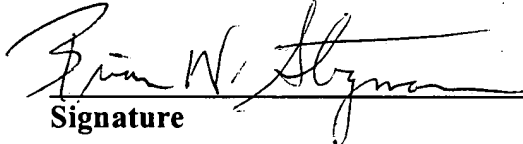
Peter G. Pappas - Reg. No. 33,205  
Daniel J. Warren - Reg. No. 34,272  
William L. Warren - Reg. No. 36,714  
Michael S. Pavento - Reg. No. 42,985  
Erinn C. Kelly - Reg. No. 44,822  
Mark E. Henderson - Reg. No. P51,144  
Lisa M. Cobern - Reg. No. 44,669  
Robert A. Lester - Reg. No. 24,004  
Jerry C. Liu-Reg. - No. 47,754  
Kevin W. King - Reg. No. 42,737  
John D. Hamann - Reg. No. 45,527  
Gerald Coon - Reg. No. 29,910

Karen Dellerman - Reg. No. 33,592  
Elaine Sale - Reg. No. 41,286  
Mark Westhafer - Reg. No. 42,220  
David T. Banchik - Reg. No. 36,439  
Fernando A. Borrego - Reg. No. 34,780  
Mary K. Cameron - Reg. No. 34,789  
Mary E. Golota - Reg. No. 36,814  
Barbara V. Maurer - Reg. No. 31,278  
Patricia A. McDaniels - Reg. No. 31,194  
Michael F. Morgan - Reg. No. 42,906  
Anne G. Sabourin - Reg. No. 33,772  
Brian W. Stegman - Reg. No. 30,977

its attorneys, with full power of substitution and revocation, to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office and in the Courts in connection therewith.

**BASF Corporation**

Date: April 11, 2003

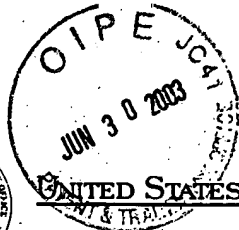
  
Signature

Brian W. Stegman

**Name:**

Vice President & Associate General Counsel

**Title:**



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/893,033	06/27/2003	Genichi Kakefuda	BASF 100,100-01

SUTHERLAND ASBILL & BRENNAN LLP  
999 Peachtree St N E  
Atlanta, GA 30309-3996

Sutherland, Asbill & Brennan LLP

CONFIRMATION NO. 3401



\*OC000000010087292\*

Date Mailed: 05/21/2003

**NOTICE REGARDING POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 05/02/2003 . The Power of Attorney in this application is not accepted for the reason(s) listed below:

- The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73(b) has not been received.

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MONICA L YOUNG  
OIPE (703) 306-3482

NEW ATTORNEY/AGENT COPY



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**CERTIFICATE UNDER 37 C.F.R. §3.73(b)**

Applicant: Genichi Kakefuda, Hans Ulrich-Koop, Rui-Guang Zhen and Stephen Sturner

Application No.: 09/893,033 Filed: June 27, 2001

For: Cyanobacterial Nucleic Acid Fragments Encoding Proteins Useful for Controlling Plant Traits via Nuclear or Plastome Transformation

BASF Corporation

(Name of Assignee)

, a Corporation

(Type of Assignee e.g., corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of:

( X ) A. An assignment from the inventor(s) of the patent application identified above. Copies of the assignments from Genichi Kakefuda, Stephen Sturner, Hans Ulrich-Koop and Rui-Guang Zhen to BASF Corporation are attached.

( ) Additional documents in the chain of title are listed on a supplemental sheet.

( ) Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned, a registered practitioner, is authorized and empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date:

June 27, 2003

Name:

William L. Warren

Reg. No.:

36,714

Signature:

William L. Warren

SAB File: 16313-0130  
BASF No: 100,100-01

RECORDATION FORM COVER SHEET  
PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
Genichi Kakefuda, Hans Ulrich-Koop, Rui-Guang Zhen, Stephen  
Sturmer

2. Name and Address of receiving party(ies):

Name: BASF Corporation

Address: P.O. Box 13258, 26 Davis Drive

City: Research Triangle Park

State: North Carolina

Zip: 27709

Additional name(s) & address(es) attached?

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Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution date(s) of each conveying party:

February 14, 2002, February 19, 2002, February 11, 2002, June  
16, 2003 respectively

☐ Yes ☒ No

4(a). Patent Application No.(s): 09/893,033

Patent No.(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence  
concerning this document should be mailed:

6. Total number of applications and patents involved: 1

Name: William L. Warrent, Esq.  
Address: SUTHERLAND ASBILL & BRENNAN LLP  
999 Peachtree Street, NE  
Atlanta, Georgia 30309-3996

7. Total fee (37 C.F.R. §3.41) enclosed: \$40.00

DO NOT USE THIS SPACE

8. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy  
of the original document.

I certify that this correspondence is being deposited with the United States Postal Service as first class mail in an addressed to:  
Mail Stop Assignment Recordation Services, Director - U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA  
22313-1450, on the date given below.

William L. Warren, Esq.  
Attorney Docket No. 16313-0130

  
Signature

Total number of pages including  
cover sheet: 8

Date: June 27, 2003

Mail documents to be recorded with required cover sheet information to:

Mail Stop Assignment Recordation Services  
Director - U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

FEB 19 2002

BASF 100,100  
PATENT

ASSIGNMENT

We, GENICHI KAKEFUDA, having residence address at 203 Zapata Lane, Chapel Hill, North Carolina 27514, citizen of the United States, HANS ULRICH-KOOP, having residence address at Gertrasse 11a, D 800 Munich 50, Munich, Germany, citizen of Germany, RUI-GUANG ZHEN, having residence address at 1226 Spring Garden Drive, Morrisville, North Carolina 27560, citizen of the United States, and STEPHEN STURNER, having residence address at 250 High Street, Newtown, Pennsylvania 18940, citizens of the United States, for good and valuable consideration, receipt of which is hereby acknowledged, have assigned and do hereby assign to BASF CORPORATION, a corporation of the State of Delaware, having a place of business at 26 Davis Drive, Research Triangle Park, North Carolina 27709-3528, its successors, assigns and legal representatives, the entire right, title and interest in the United States and throughout the world in and to all subject matter invented by us and disclosed in the application for letters Patent of the United States entitled CYANOBACTERIAL NUCLEIC ACID FRAGMENTS ENCODING PROTEINS USEFUL FOR CONTROLLING PLANT TRAITS VIA NUCLEAR OR PLASTOME TRANSFORMATION, Serial No. 09/893,033, filed June 27, 2001, claiming priority to provisional application, Serial No. 60/214,705, filed June 27, 2000, and in any and all applications for patent therefor in any and all countries, including any divisions, reissues, continuations and extensions thereof, and in and to all Letters Patent and all

Convention and Treaty rights of all kinds, in the United States and all other countries throughout the world, for all such subject matter. We each agree to sign all papers necessary to secure said Letters Patent and rights, and request issuance of all said Letters Patent to said BASF CORPORATION in accordance with this assignment.

Executed: 2/14, 2002

  
Genichi Kakefuda

Executed: \_\_\_\_\_, 2002

Hans Ulrich-Koop

Executed: \_\_\_\_\_, 2002

Rui-Guang Zhen

Executed: \_\_\_\_\_, 2002

Steven Sturner

FEB 20 2002

BASF 100,100  
PATENT

ASSIGNMENT

We, GENICHI KAKEFUDA, having residence address at 203 Zapata Lane, Chapel Hill, North Carolina 27514, citizen of the United States, HANS ULRICH-KOOP, having residence address at Gertrasse 11a, D <sup>80993</sup>~~800~~ Munich ~~50~~, Munich, Germany, citizen of Germany, RUI-GUANG ZHEN, having residence address at 1226 Spring Garden Drive, Morrisville, North Carolina 27560, citizen of the United States, and STEPHEN STURNER, having residence address at 250 High Street, Newtown, Pennsylvania 18940, citizens of the United States, for good and valuable consideration, receipt of which is hereby acknowledged, have assigned and do hereby assign to BASF CORPORATION, a corporation of the State of Delaware, having a place of business at 26 Davis Drive, Research Triangle Park, North Carolina 27709-3528, its successors, assigns and legal representatives, the entire right, title and interest in the United States and throughout the world in and to all subject matter invented by us and disclosed in the application for letters Patent of the United States entitled CYANOBACTERIAL NUCLEIC ACID FRAGMENTS ENCODING PROTEINS USEFUL FOR CONTROLLING PLANT TRAITS VIA NUCLEAR OR PLASTOME TRANSFORMATION, Serial No. 09/893,033, filed June 27, 2001, claiming priority to provisional application, Serial No. 60/214,705, filed June 27, 2000, and in any and all applications for patent therefor in any and all countries, including any divisions, reissues, continuations and extensions thereof, and in and to all Letters Patent and all

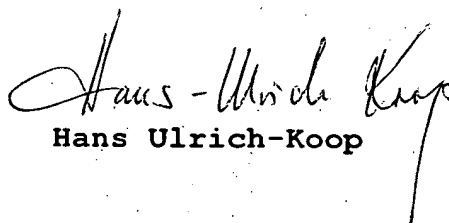


Convention and Treaty rights of all kinds, in the United States and all other countries throughout the world, for all such subject matter. We each agree to sign all papers necessary to secure said Letters Patent and rights, and request issuance of all said Letters Patent to said BASF CORPORATION in accordance with this assignment.

Executed: \_\_\_\_\_, 2002

**Genichi Kakefuda**

Executed: February 19<sup>th</sup>, 2002

  
**Hans Ulrich-Koop**

Executed: \_\_\_\_\_, 2002

**Rui-Guang Zhen**

Executed: \_\_\_\_\_, 2002

**Steven Sturner**

FEB 15 2002

BASF 100,100  
PATENT

ASSIGNMENT

We, GENICHI KAKEFUDA, having residence address at 203 Zapata Lane, Chapel Hill, North Carolina 27514, citizen of the United States, HANS ULRICH-KOOP, having residence address at Gertrasse 11a, D 800 Munich 50, Munich, Germany, citizen of Germany, RUI-GUANG ZHEN, having residence address at 1226 Spring Garden Drive, Morrisville, North Carolina 27560, citizen of the United States, and STEPHEN STURNER, having residence address at 250 High Street, Newtown, Pennsylvania 18940, citizens of the United States, for good and valuable consideration, receipt of which is hereby acknowledged, have assigned and do hereby assign to BASF CORPORATION, a corporation of the State of Delaware, having a place of business at 26 Davis Drive, Research Triangle Park, North Carolina 27709-3528, its successors, assigns and legal representatives, the entire right, title and interest in the United States and throughout the world in and to all subject matter invented by us and disclosed in the application for letters Patent of the United States entitled CYANOBACTERIAL NUCLEIC ACID FRAGMENTS ENCODING PROTEINS USEFUL FOR CONTROLLING PLANT TRAITS VIA NUCLEAR OR PLASTOME TRANSFORMATION, Serial No. 09/893,033, filed June 27, 2001, claiming priority to provisional application, Serial No. 60/214,705, filed June 27, 2000, and in any and all applications for patent therefor in any and all countries, including any divisions, reissues, continuations and extensions thereof, and in and to all Letters Patent and all

Convention and Treaty rights of all kinds, in the United States and all other countries throughout the world, for all such subject matter. We each agree to sign all papers necessary to secure said Letters Patent and rights, and request issuance of all said Letters Patent to said BASF CORPORATION in accordance with this assignment.

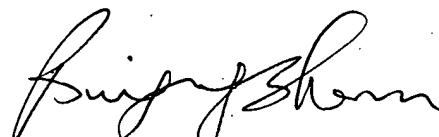
Executed: \_\_\_\_\_, 2002

Genichi Kakefuda

Executed: \_\_\_\_\_, 2002

Hans Ulrich-Koop

Executed: Feb 11, 2002

  
Rui-Guang Zhen

Executed: \_\_\_\_\_, 2002

Steven Sturner

## ASSIGNMENT

WHEREAS, I, **Stephen Sturner**, a citizen of the United States, residing at 250 High Street, Newtown, Pennsylvania 18940 have invented certain inventions and improvements disclosed in an application for Letters Patent entitled "**Cyanobacterial Nucleic Acid Fragments Encoding Proteins Useful For Controlling Plant Traits Via Nuclear or Plastome Transformation**" that was filed in the United States Patent and Trademark Office on June 27, 2000, assigned U.S. Provisional Patent Application Number 60/214,705 and on June 27, 2001, assigned U.S. Non-Provisional Patent Application No. 09/893,033.

WHEREAS, **BASF Corporation**, a corporation of the state of Delaware, having a principal place of business at 26 Davis Drive, Research Triangle Park, North Carolina 27709-3528, is desirous of acquiring an interest in the same;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which I hereby acknowledge, I, **Stephen Sturner**, by these presents do sell, assign and transfer unto **BASF Corporation** the full, exclusive and entire right, title, and interest in and to said application, and in and to all inventions and improvements disclosed and described in said application;

For the same consideration, I, by these presents do sell, assign, and transfer to **BASF Corporation** the full, exclusive, and entire right, title and interest in and to any foreign application or applications based on or claiming the benefit of said application, in whole or in part, in countries other than the United States, in and to any Letters Patent and similar protective rights granted on said foreign applications, and in and to the right to claim any applicable priority rights arising from or required for said foreign applications under the terms of any applicable conventions, treaties, statutes, or regulations; said foreign applications to be filed and issued in the name of **BASF Corporation** or its designee insofar as permitted by applicable law.

AND, for the same consideration, I agree to sign all lawful papers, execute all non-provisional applications and other applications, make all assignments and rightful oaths, and generally do everything possible to aid **BASF Corporation**, its successors, assigns, and nominees, to obtain and enforce proper protection for all said inventions and improvements in all countries throughout the world.

Date: 6/16/03

  
\_\_\_\_\_  
Stephen Sturner

Docket No.: 16313-0130